THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21609 OF 2005

DATED:4.10.2005

Between:

Smt. Varala Radha

…Petitioner

And

The Superintending Engineer (Panchayat Raj),

Mahabubnagar and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21609 OF 2005

ORDER:

The petitioner's husband was awarded contract for the work of "providing B.T. Road from Amrabad to Laxmapur" under agreement dt.6.6.2003. He completed the work and substantial amounts are paid. Even before the final bill submitted by him is pending, he passed away. Therefore, the petitioner made representation requesting the respondents to release the amount of Rs.15,00,000/-, in vain. Therefore, present Writ Petition is filed seeking a Writ of Mandamus directing the respondents to forthwith release the amount due to the petitioner.

The learned counsel for the petitioner does not seriously dispute the legal position that ordinarily Writ Petition for payment of money is not maintainable. Therefore, he

only prayed to give a direction to respondents to consider the representation of the petitioner dt.30.9.2005 and pass appropriate orders. As the petitioner approached the respondents only a couple of days ago, this Court is not inclined to give the direction as sought for. It shall, however, be open to the respondents to consider the representation of the petitioner dt.30.9.2005 in accordance with the terms of the contract.

The Writ Petition with the above observations is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

4.10.2005

bnr